

AUTO CR - LOG SUMMARY #1072568

TYPE: CR

Incident Finding / Overall Case Finding

Description of Incident	Finding	Entered By	Entered Date
	SUSTAINED	ROUSSELL, JAMES	29-JUL-2015

Reporting Party Information

Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
CPD Employee	Reporting Party Third Party	BROWN, DANIEL V	1708		SERGEANT OF POLICE	M	WHI		

Incident Information

Incident From Date/Time	Address of Incident	Beat	Dist. Of Occurrence	Location Code	Location Description
12-NOV-2014 11:30 - 15-NOV-2014 03:30		2212	022	261 - SMALL RETAIL STORE	

Accused Members

Role	Name	Star No.	Emp No.	UOA / UOD	Position	Status	Initial / Intake Allegation
CPD Employee	Accused	WALTHALL, MARKUS	17409		POLICE OFFICER	OFF Duty	While off duty, the accused officer went to [REDACTED] and removed his secondary weapon from his person. The accused related that the last time he recalled seeing his weapon was on 12 Nov. 2014 at 1130 hours. On 15 Nov. 2014, at 1530 hours, the accused went into the 5th District Station to report the weapon as possibly lost. The weapon is a LCP Ruger .380 caliber, six round magazine, one in the chamber. Ser [REDACTED]

Other Involved Parties

Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
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Involved Party Associations

Role	Rep. Party Name	Related Person	Relationship
Reporting Party Third Party	BROWN, DANIEL V	WALTHALL, MARKUS	NO RELATIONSHIP

Incident Details

CR Required?		Manner Incident Received?	PAX
Confidential?		Biased Language?	N
Extraordinary Occurrence?	N	Bias Based Profiling?	N
Police Shooting (U)?	N	Alcohol Related?	N
Non Disciplinary Intervention:	N	Pursuit Related?	N
Initial Assignment:	IAD	Violence in Workplace?	N
Notify IAD Immediately?	N	Domestic Violence?	N
EEO Complaint No.:			
Civil Suit No.:		Civil Suit Settled Date:	
Notify Chief Administrator?	N	Notify Chief?	
Notify Coordinator?		Notification Does Not Apply?	Y
Notification Other?	N		
Notification Comments:	THE COMPLAINANT WAS INITIATED BY SGT. BROWN, #1708		

Incident Category List

Incident Category	Primary?	Initial?
10L - GROUP 10 - OPERATION/PERSONNEL VIOLATIONS (ON DUTY) WEAPON / AMMUNITION	Y	Y

Incident Category List

Incident Category	Primary?	Initial?
10L - GROUP 10 - OPERATION/PERSONNEL VIOLATIONS (ON DUTY) WEAPON / AMMUNITION	Y	N

Investigator History

Investigator	Type	Assigned Team	Assigned Date	Scheduled End Date	Investigation End Date	No. of Days
BAIER, JAMES	Primary	GENERAL INVESTIGATION SECTION	24-NOV-2014	23-JAN-2015	23-DEC-2014	29
O KELLY, PATRICK	Supervisor	GENERAL INVESTIGATION SECTION	24-NOV-2014	24-DEC-2014	23-DEC-2014	

Extension History

Name	Previous Scheduled End Date	Extended Scheduled End Date	Date Certified Letter Sent	Reason Selected	Explanation	Extension Report Date	Approved By	Approved Date	Approval Comments
BAIER, JAMES	24-DEC-2014	23-JAN-2015		OTHER (DESCRIBE)	submitted for approval	22-DEC-2014	O KELLY, PATRICK	23-DEC-2014	

Current Allegations

Accused Name	Seq. No.	Allegation	Category	Subcategory	Finding
WALTHALL, MARKUS	1	It is alleged by Sgt Daniel BROWN #1708, Unit 005 that while off duty, the accused officer went to [REDACTED] and removed his secondary weapon from his person. The accused related that the last time he recalled seeing his weapon was on 12 Nov. 2014 at 1130 hours. On 15 Nov. 2014, at 1530 hours, the accused went into the 5th District Station to report the weapon as possibly lost. The accused officer failed to properly secure his weapon. The weapon is a LCP Ruger .380 caliber, six round magazine, one in the chamber. Ser # [REDACTED]	10L IAD SUBCODE 10L	LOST / STOLEN WEAPON	SUSTAINED

Situations (Allegation Details)

Accused Name	Alleg. No.	Situation	Victim/Offender Armed?	Weapon Types	Weapon Other	Weapon Recovered?	Deceased?
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Status History

Resulting Status	Status Date/Time	Created By	Position	UOA / UOD	Comments
CLOSED/FINAL	14-MAR-2016 10:07	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING FINANCE DIVISION RESPONSE	31-JUL-2015 12:00	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING REVIEW AFTER SUPERINTENDENT DECISION	29-JUL-2015 02:52	ROUSSELL, JAMES	SUPT'S CHIEF OF STAFF	111 /	
PENDING SUPERINTENDENT DECISION	17-JUL-2015 12:55	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING REVIEW AFTER ACCUSED REQUEST	23-APR-2015 08:26	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING ACCUSED APPEAL	15-APR-2015 11:07	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING ACCUSED APPEAL	09-MAR-2015 05:51	RIVERA, JUAN	CHIEF	121 /	
PENDING ASSISTANT DEPUTY SUPERINTENDENT REVIEW	15-JAN-2015 09:15	SUSNIS, MAUREEN	SERGEANT OF POLICE	121 /	
PENDING ADVOCATE SECOND REVIEW	15-JAN-2015 08:20	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING REVIEW AFTER COMMAND CHANNEL (I.A.D.)	14-JAN-2015 03:26	MC NAUGHTON, DAVID	DEP CHIEF	211 /	
PENDING COMMAND CHANNEL REVIEW	13-JAN-2015 11:02	JONES, JAMES	COMMANDER	003 /	
PENDING COMMAND CHANNEL REVIEW	12-JAN-2015 12:14	SUSNIS, MAUREEN	SERGEANT OF POLICE	121 /	
PENDING ADVOCATE REVIEW	12-JAN-2015 09:54	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING REVIEW INCIDENT (I.A.D./DISTRICT USE)	24-DEC-2014 06:27	O KELLY, PATRICK	SERGEANT OF POLICE	121 /	
PENDING LIEUTENANT REVIEW	24-DEC-2014 06:26	O KELLY, PATRICK	SERGEANT OF POLICE	121 /	

Status History

Resulting Status	Status Date/Time	Created By	Position	UOA / UOD	Comments
PENDING INVESTIGATIVE REVIEW	23-DEC-2014 04:17	BAIER, JAMES	SERGEANT OF POLICE	121 /	
PENDING INVESTIGATION	24-NOV-2014 11:23	TIERNEY, JOHN	SERGEANT OF POLICE	121 /	
PENDING ASSIGN INVESTIGATOR	18-NOV-2014 07:34	CLARK, SUSAN	LIEUTENANT OF POLICE	121 /	 Type Changed from INFO to CR on 18-NOV-2014 07:34 by CLARK, SUSAN
PENDING APPROVE TEAM	17-NOV-2014 11:23	WATSON, JOHN	POLICE OFFICER	121 /	
PENDING ASSIGN TEAM	17-NOV-2014 07:12	ROBERTS, GEORGE	SUPERVISING INVESTIGATOR	113 /	
PENDING SUPERVISOR REVIEW	17-NOV-2014 07:11	ROBERTS, GEORGE	SUPERVISING INVESTIGATOR	113 /	
PRELIMINARY	17-NOV-2014 07:11	ROBERTS, GEORGE	SUPERVISING INVESTIGATOR	113 /	RPTP
PENDING SUPERVISOR REVIEW	15-NOV-2014 05:23	DAVIS, LAKEISHA	INVESTIGATOR 2 COPA	113 /	
PRELIMINARY	15-NOV-2014 05:23	DAVIS, LAKEISHA	INVESTIGATOR 2 COPA	113 /	
PRELIMINARY	15-NOV-2014 05:22	DAVIS, LAKEISHA	INVESTIGATOR 2 COPA	113 /	
PRELIMINARY	15-NOV-2014 05:00	PRIETO, DENNIS	INVESTIGATOR 2 COPA	113 /	

Attachments

No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content	Approve Inclusion
1	INVESTIGATION					BAIER, JAMES	24-NOV-2014 07:52			
1	FACE SHEET					PRIETO, DENNIS	15-NOV-2014 05:00			
2	CONFLICT CERTIFICATION					BAIER, JAMES	24-NOV-2014 07:54			
3	DOCUMENTS - INVESTIGATION		1	sworn affidavit not required	N	BAIER, JAMES	24-NOV-2014 07:55	APPROVED		
4	DOCUMENTS - INVESTIGATION		1	Initiation Report	N	BAIER, JAMES	16-DEC-2014 07:58	APPROVED		
5	ACCUSED NOTIFICATION OF ALLEGATIONS	ACCUSED - WALTHALL, MARKUS				BAIER, JAMES	08-DEC-2014 11:31	ACCUSED ACKNOWLEDGED ALLEGATIONS		
6	DOCUMENTS - INVESTIGATION		1	Administrative Message	N	BAIER, JAMES	24-NOV-2014 09:01	APPROVED		
7	DOCUMENTS - INVESTIGATION		1	Gun Registration Report	N	BAIER, JAMES	24-NOV-2014 09:05	APPROVED		
8	DOCUMENTS - INVESTIGATION		2		N	BAIER, JAMES	24-NOV-2014 09:06	APPROVED		
9	DOCUMENTS - INVESTIGATION		1		N	BAIER, JAMES	16-DEC-2014 07:59	APPROVED		
10	DOCUMENTS - INVESTIGATION		3		N	BAIER, JAMES	16-DEC-2014 08:00	APPROVED		
11	DOCUMENTS - INVESTIGATION		14		N	BAIER, JAMES	16-DEC-2014 08:38	APPROVED		
12	DOCUMENTS - INVESTIGATION		1		N	BAIER, JAMES	18-DEC-2014 11:31	APPROVED		
	DOCUMENTS - ACCUSED APPEAL	ACCUSED - WALTHALL, MARKUS	2	Request for Review of Discipline - Summary Opinion	N	CHANDLER, GINA	23-APR-2015 08:22	APPROVED		
	DOCUMENTS - ACCUSED APPEAL	ACCUSED - WALTHALL, MARKUS	2	Binding Summary Opinion - NO CHANGE IN PENALTY	N	CHANDLER, GINA	17-JUL-2015 12:55	APPROVED		
	DOCUMENTS - INVESTIGATION		6		N	BAIER, JAMES	22-DEC-2014 06:11	APPROVED		
	DOCUMENTS - ACCUSED APPEAL	ACCUSED - WALTHALL, MARKUS	1	Grievance No	N	CHANDLER, GINA	01-MAY-2015 11:47	APPROVED		

Review Incident

Review Type	Accused/Involved Member Name	Result Type	Reviewed By	Position	Unit	Review Date	Remarks
ASSISTANT DEPUTY SUPERINTENDENT REVIEW	WALTHALL, MARKUS	SUBMITTED	RIVERA, JUAN	CHIEF	121	09-MAR-2015 05:51	
ASSISTANT ADVOCATE REVIEW	WALTHALL, MARKUS	SUBMITTED	CHANDLER, GINA	POLICE AGENT	121	15-JAN-2015 08:20	CCR concurred to the Chief
ASSISTANT ADVOCATE REVIEW		SUBMITTED	CHANDLER, GINA	POLICE AGENT	121	12-JAN-2015 09:54	To CCR
LIEUTENANT REVIEW		SUBMITTED	O KELLY, PATRICK	SERGEANT OF POLICE	196	24-DEC-2014 06:27	
SERGEANT REVIEW		SUBMITTED	O KELLY, PATRICK	SERGEANT OF POLICE	196	24-DEC-2014 06:26	

Review Incident

Review Accused

Review Type	Accused/Involved Member Name	Result Type	Reviewed By	Position	Unit	Review Date	Remarks
ADVOCATE OFFICE CLOSING STEPS	WALTHALL, MARKUS	SUBMITTED	CHANDLER, GINA	POLICE AGENT	121	14-MAR-2016 10:07	
FINANCE DIVISION RESPONSE	WALTHALL, MARKUS	SUBMITTED	WHITTED, JACKIE	ASST MANGR POL PR	122	11-MAR-2016 01:31	
FINANCE DIVISION RESPONSE	WALTHALL, MARKUS	ACCEPTED/SAVED	WHITTED, JACKIE	ASST MANGR POL PR	122	11-MAR-2016 01:31	
FINANCE DIVISION RESPONSE	WALTHALL, MARKUS	ACCEPTED/SAVED	WHITTED, JACKIE	ASST MANGR POL PR	122	11-SEP-2015 06:15	mailed notification with option form
REVIEW AFTER SUPERINTENDENT DECISION	WALTHALL, MARKUS	SUBMITTED	CHANDLER, GINA	POLICE AGENT	121	31-JUL-2015 12:00	
SUPERINTENDENT DECISION	WALTHALL, MARKUS	SUBMITTED	ROUSSELL, JAMES	DEPUTY DIRECTOR	111	29-JUL-2015 02:52	
DIRECT APPEAL TO SUPERINTENDENT	WALTHALL, MARKUS	SUBMITTED	CHANDLER, GINA	POLICE AGENT	121	17-JUL-2015 12:55	Binding Summary Opinion - NO CHANGE IN PENALTY
ADVOCATE OFFICE ACCUSED REVIEW	WALTHALL, MARKUS	SUBMITTED	CHANDLER, GINA	POLICE AGENT	121	23-APR-2015 08:26	Request for Review of Discipline - Summary Opinion
ADVOCATE OFFICE ACCUSED REVIEW	WALTHALL, MARKUS	SUBMITTED	CHANDLER, GINA	POLICE AGENT	121	16-APR-2015 07:26	
ADVOCATE OFFICE ACCUSED REVIEW	WALTHALL, MARKUS	SUBMITTED	CHANDLER, GINA	POLICE AGENT	121	15-APR-2015 11:07	
ADVOCATE OFFICE ACCUSED REVIEW	WALTHALL, MARKUS	SUBMITTED	CHANDLER, GINA	POLICE AGENT	121	15-APR-2015 09:04	
ADVOCATE REVIEW	WALTHALL, MARKUS	SUBMITTED	SUSNIS, MAUREEN	LIEUTENANT OF POLICE	196	15-JAN-2015 09:15	CCR concurs with Finding and Penalty.
COMMAND CHANNEL REVIEW	WALTHALL, MARKUS	SUBMITTED	MC NAUGHTON, DAVID	DEP CHIEF	115	14-JAN-2015 03:26	
COMMAND CHANNEL REVIEW	WALTHALL, MARKUS	SUBMITTED	JONES, JAMES	DEP CHIEF	180	13-JAN-2015 11:02	
ADVOCATE REVIEW	WALTHALL, MARKUS	SUBMITTED	SUSNIS, MAUREEN	LIEUTENANT OF POLICE	196	12-JAN-2015 12:14	CCR

Accused Finding History

Accused	Allegation	Reviewed By	Reviewed Date/Time	CCR?	Concur?	Finding	Finding Comments
WALTHALL, MARKUS	1. It is alleged by Sgt Daniel BROWN #1708, Unit 005 that while...	ROUSSELL, JAMES	29-JUL-2015 02:52			SUSTAINED	
WALTHALL, MARKUS	1. It is alleged by Sgt Daniel BROWN #1708, Unit 005 that while...	CHANDLER, GINA	17-JUL-2015 12:55			SUSTAINED	
WALTHALL, MARKUS	1. It is alleged by Sgt Daniel BROWN #1708, Unit 005 that while...	RIVERA, JUAN	09-MAR-2015 05:51		Y	SUSTAINED	
WALTHALL, MARKUS	1. It is alleged by Sgt Daniel BROWN #1708, Unit 005 that while...	MC NAUGHTON, DAVID	14-JAN-2015 03:26	Y	Y	SUSTAINED	
WALTHALL, MARKUS	1. It is alleged by Sgt Daniel BROWN #1708, Unit 005 that while...	JONES, JAMES	13-JAN-2015 11:02	Y	Y	SUSTAINED	
WALTHALL, MARKUS	1. It is alleged by Sgt Daniel BROWN #1708, Unit 005 that while...	BAIER, JAMES	23-DEC-2014 04:17			SUSTAINED	

Accused Penalty History

Accused	Reviewed By	Reviewed Date/Time	CCR?	Concur?	Penalty	Penalty Comments
WALTHALL, MARKUS	ROUSSELL, JAMES	29-JUL-2015 02:52			SUSPENSION 10 Day(s)	
WALTHALL, MARKUS	RIVERA, JUAN	09-MAR-2015 05:51		Y	SUSPENSION 10 Day(s)	
WALTHALL, MARKUS	MC NAUGHTON, DAVID	14-JAN-2015 03:26	Y	Y	SUSPENSION 10 Day(s)	
WALTHALL, MARKUS	JONES, JAMES	13-JAN-2015 11:02	Y	Y	SUSPENSION 10 Day(s)	
WALTHALL, MARKUS	O KELLY, PATRICK	24-DEC-2014 06:26			SUSPENSION 10 Day(s)	

Findings

Accused Name	Allegations	Category	Concur?	Findings	Comments
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Findings

Accused Name	Allegations	Category	Concur?	Findings	Comments
WALTHALL, MARKUS	It is alleged by Sgt Daniel BROWN #1708, Unit 005 that while off duty, the accused officer went to [REDACTED] and removed his secondary weapon from his person. The accused related that the last time he recalled seeing his weapon was on 12 Nov. 2014 at 1130 hours. On 15 Nov. 2014, at 1530 hours, the accused went into the 5th District Station to report the weapon as possibly lost. The accused officer failed to properly secure his weapon. The weapon is a LCP Ruger .380 caliber, six round magazine, one in the chamber. Ser # [REDACTED]	10L IAD SUBCODE 10L		SUSTAINED	

FACE SHEET (Notification Date: 15-NOV-2014) - LOG #1072568

TYPE: CR

Reporting Party Information

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Sex	Race	Address	Phone
CPD Employee	Reporting Party Third Party	BROWN, DANIEL V	1708		005 /	SERGEANT OF POLICE	M	WHI		

Incident Information

Incident From Date/Time	Address of Incident	Beat	Dist. Of Occurrence	Location Code	Location Description
12-NOV-2014 11:30 - 15-NOV-2014 03:30		2212	022	261 - SMALL RETAIL STORE	

Accused Members

	Role	Name	Star No.	Emp No.	UOA / UOD	Position	Status	Initial / Intake Allegation
CPD Employee	Accused	WALTHALL, MARKUS	17409		003 /	POLICE OFFICER	OFF Duty	While off duty, the accused officer went to [REDACTED] and removed his secondary weapon from his person. The accused related that the last time he recalled seeing his weapon was on 12 Nov. 2014 at 1130 hours. On 15 Nov. 2014, at 1530 hours, the accused went into the 5th District Station to report the weapon as possibly lost. The weapon is a LCP Ruger .380 caliber, six round magazine, one in the chamber. Ser # [REDACTED]

Incident Details

CR Required?		Manner Incident Received?	PAX
Confidential?		Biased Language?	N
Extraordinary Occurrence?	N	Bias Based Profiling?	N
Police Shooting (U)?	N		
Motor Vehicle (V)?		Alcohol Related?	N
Non Disciplinary Intervention:	N	Pursuit Related?	N
Initial Assignment:	IAD	Violence in Workplace?	N
Notify IAD Immediately?	N	Domestic Violence?	N
EEO Complaint No.:			
Civil Suit No.:		Notify Chief?	
Notify Chief Administrator?	N	Notification Does Not Apply?	Y
Notify Coordinator?			
Notification Other?	N		

Initial Incident Category List

Initial Incident Category	Primary?
10L - GROUP 10 - OPERATION/PERSONNEL VIOLATIONS (ON DUTY) WEAPON / AMMUNITION	Y
10L - GROUP 10 - OPERATION/PERSONNEL VIOLATIONS (ON DUTY) WEAPON / AMMUNITION	Y

Assignment History

Assigned To	Assigned Team	Investigator	Assignment Date/Time	Assigned By	Reason
IAD	GENERAL INVESTIGATION SECTION	O KELLY, PATRICK (SUPERVISOR)	24-NOV-2014 11:23	TIERNEY, JOHN	
IAD	GENERAL INVESTIGATION SECTION	BAIER, JAMES (PRIMARY INV)	24-NOV-2014 11:23	TIERNEY, JOHN	
IAD	GENERAL INVESTIGATION SECTION	-	17-NOV-2014 11:23	WATSON, JOHN	
IAD	INTERNAL AFFAIRS DIVISION	-	15-NOV-2014 17:00	PRIETO, DENNIS	

Status History

Status History

Resulting Status	Status Date/Time	Created By	Position	UOA / UOD	Comments
CLOSED/FINAL	14-MAR-2016 10:07	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING FINANCE DIVISION RESPONSE	31-JUL-2015 12:00	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING REVIEW AFTER SUPERINTENDENT DECISION	29-JUL-2015 02:52	ROUSSELL, JAMES	SUPT'S CHIEF OF STAFF	111 /	
PENDING SUPERINTENDENT DECISION	17-JUL-2015 12:55	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING REVIEW AFTER ACCUSED REQUEST	23-APR-2015 08:26	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING ACCUSED APPEAL	15-APR-2015 11:07	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING ACCUSED APPEAL	09-MAR-2015 05:51	RIVERA, JUAN	CHIEF	121 /	
PENDING ASSISTANT DEPUTY SUPERINTENDENT REVIEW	15-JAN-2015 09:15	SUSNIS, MAUREEN	SERGEANT OF POLICE	121 /	
PENDING ADVOCATE SECOND REVIEW	15-JAN-2015 08:20	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING REVIEW AFTER COMMAND CHANNEL (I.A.D.)	14-JAN-2015 03:26	MC NAUGHTON, DAVID	DEP CHIEF	211 /	
PENDING COMMAND CHANNEL REVIEW	13-JAN-2015 11:02	JONES, JAMES	COMMANDER	003 /	
PENDING COMMAND CHANNEL REVIEW	12-JAN-2015 12:14	SUSNIS, MAUREEN	SERGEANT OF POLICE	121 /	
PENDING ADVOCATE REVIEW	12-JAN-2015 09:54	CHANDLER, GINA	POLICE AGENT	121 /	
PENDING REVIEW/INCIDENT (I.A.D./DISTRICT USE)	24-DEC-2014 06:27	O KELLY, PATRICK	SERGEANT OF POLICE	121 /	
PENDING LIEUTENANT REVIEW	24-DEC-2014 06:26	O KELLY, PATRICK	SERGEANT OF POLICE	121 /	
PENDING INVESTIGATIVE REVIEW	23-DEC-2014 04:17	BAIER, JAMES	SERGEANT OF POLICE	121 /	
PENDING INVESTIGATION	24-NOV-2014 11:23	TIERNEY, JOHN	SERGEANT OF POLICE	121 /	
PENDING ASSIGN INVESTIGATOR	18-NOV-2014 07:34	CLARK, SUSAN	LIEUTENANT OF POLICE	121 /	 Type Changed from INFO to CR on 18-NOV-2014 07:34 by CLARK, SUSAN
PENDING APPROVE TEAM	17-NOV-2014 11:23	WATSON, JOHN	POLICE OFFICER	121 /	
PENDING ASSIGN TEAM	17-NOV-2014 07:12	ROBERTS, GEORGE	SUPERVISING INVESTIGATOR	113 /	
PENDING SUPERVISOR REVIEW	17-NOV-2014 07:11	ROBERTS, GEORGE	SUPERVISING INVESTIGATOR	113 /	
PRELIMINARY	17-NOV-2014 07:11	ROBERTS, GEORGE	SUPERVISING INVESTIGATOR	113 /	RPTP
PENDING SUPERVISOR REVIEW	15-NOV-2014 05:23	DAVIS, LAKEISHA	INVESTIGATOR 2 COPA	113 /	
PRELIMINARY	15-NOV-2014 05:23	DAVIS, LAKEISHA	INVESTIGATOR 2 COPA	113 /	
PRELIMINARY	15-NOV-2014 05:22	DAVIS, LAKEISHA	INVESTIGATOR 2 COPA	113 /	
PRELIMINARY	15-NOV-2014 05:00	PRIETO, DENNIS	INVESTIGATOR 2 COPA	113 /	

SWORN AFFIDAVIT FOR COMPLAINT LOG INVESTIGATION
CHICAGO POLICE DEPARTMENT

STATE OF ILLINOIS)

COUNTY OF COOK)

CC

Location of Incident	Date	Time
Summary of Statement(s):		

I, _____ hereby state as follows:

1. I have read the above summary and/or attached statement(s) in its entirety, reviewed it for accuracy and been given an opportunity to make corrections and additions to the statement(s).
2. Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the information set forth in the statement(s) above and/or attached summary is true and correct except as to any matters therein stated to be on information and belief as to such matters, I certify as aforesaid that I verily believe the same to be true.

Print Affiant's Name

Print Witness's Name

Affiant's Signature

Witness's Signature

Date

Date

CPD-44.126 (Rev. 6/09) English

Attachment No. _____

Complaint Log No. _____

Bureau of Patrol
2014
005th District

15 Nov 2014

To: Larry Watson
Commander
005th District

From: Daniel V. Brown #1708
Sergeant
005th District

Subject: Initiation Report, Log # 1072568

Complainant: Sergeant Daniel V. Brown #1708
005th District

Accused: Officer Walthall, Marcus Star # 17409, Assigned to Unit 003.

Date/Time: 12 Nov 2014 1130 to 1330


Location: [REDACTED]

Notified: Lt. Gillespie #312, 005th Dist Watch Commander

Notifications: IPRA Investigator Prieto #174

Rd Number: [REDACTED]

Narrative: On 12 Nov 2014 at approximately 1130-1330 hours the above Officer was at [REDACTED] and remembers that this was the last place he saw his LCP Ruger. After an exhaustive search the Officer is now sure his weapon is lost and reported it in the 005th Dist on 15 Nov 14 at 1530 hrs. Administrative Message [REDACTED] sent to all Units at hours 1710 hrs.


Sgt Daniel V. Brown #1708
005th Dist

ADMINISTRATIVE MESSAGE CENTER - MAIN PAGE

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To issue a cancellation, correction or additional information to this message, please [log in](#).



REFERENCE # 215695

LOST WEAPON

15-Nov-2014 17:10

LOST & THEFT MESSAGE

Distribution Method:

- ☒ Archive
- ☐ CPD Intranet Home Page
- ☐ Unit Inbox
- ☐ Faxed
- ☐ Email

To: ALL UNITS

From: BROWN, DANIEL V
SERGEANT OF POLICE
005 - DISTRICT 005

Telephone No.:

On Behalf Of:

Star No.:

Assigned To (Unit): 003 rd district

Lost?: ☒Taken In Theft?: ☐

District:

RD No.:

Address of Vicinity:

Date: 12 Nov 14

Time: 1130 Hrs-1330Hrs

Property Description: Ruger LCP .380 handgun w/six round magazine. Serial number

Attachments:

WARNING: This message is intended only for the use of the individual or agency to which it is addressed and may contain information that is confidential and/or exempt from disclosure under applicable law. If you have received this communication in error, please notify us immediately by telephone and destroy the original. Any unauthorized copying or dissemination of this communication is prohibited.

CITY OF CHICAGO / DEPARTMENT OF POLICE

3510 SOUTH MICHIGAN AVENUE

CHICAGO, IL 60653

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Firearm Registration

Include	Name	CFP No.	CFP Status	Print Card No	Registration No	Serial No	Firearm Make	Firearm Model	Foid No.	Firearm Status	Status Date
[Edit]	[REDACTED]						SMITH & WESSON	686	[REDACTED]	REGISTERED	29-OCT-1985
[Edit]	[REDACTED]						SMITH & WESSON	60	[REDACTED]	STOLEN REGISTERED GUN	08-OCT-2012
[Edit]	[REDACTED]						SMITH & WESSON	640	[REDACTED]	REGISTERED	22-OCT-2012
[Edit]	[REDACTED]						SMITH & WESSON -US- (BODYGUAR 5943 TSW		[REDACTED]	REGISTERED	13-JUN-2002
[Edit]	[REDACTED]						RUGER	LCP	[REDACTED]	REGISTERED	29-OCT-2012

Firearm Permit Applicants

No Records found.

User: [REDACTED]
Model: 19470 - Revision: 1.063 \$

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CHICAGO POLICE DEPARTMENT
ORIGINAL CASE INCIDENT REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653
(For use by Chicago Police Department Personnel Only)
CPD-11.388(6/03)-C)

RD #: [REDACTED]
EVENT #: [REDACTED]
Case ID: [REDACTED]

INCIDENT	CLOSED NON-CRIMINAL		
	IUCR: 5070 - Non-Criminal - Lost Property		
	Occurrence Location: [REDACTED] 277 - Parking Lot/Garage(Non.Resid.)	Beat: 2212	Unit Assigned: 0502 RO Arrival Date: 15 November 2014 15:00
	Occurrence Date: 12 November 2014 11:30 - 12 November 2014 13:30		

NON OFFENDER	VICTIM - Individual		
	Name: [REDACTED]	Demographics	
	Res: [REDACTED]	Beat: 0321 Beat: 5100	Male Black DOB: [REDACTED] Age: 35 Years
	Sobriety: Sober		
Other Communications and Availability			
Business Phone: [REDACTED]			

DOMESTIC INFO	[REDACTED]	
	[REDACTED]	

OTHER	Miscellaneous	
	Victim Information Provided	Flash Message Sent ? No

FIREARMS	Firearm #1		Possessor/User: [REDACTED]
	Type: Semi-Automatic Pistol		Duty Related: No
	Make: United States Arms Corp.--Us--	Model: Ruger	Taken/Stolen? No
	Serial #: [REDACTED]	Owner Known? Yes	
	Caliber/Gauge: 380 Caliber	Owner: [REDACTED]	Displayed? No
	Barrel Length: 2.75	Phone: [REDACTED]	Used? No
	Feature: Blue Steel		Recovered? No
	Registration Status: Lost # Live Rounds: 7		

Property #1		Possessor/User: [REDACTED]
Quantity: 1	Estimated Value: \$20.00	Used as Weapon? No
Type: Other		Taken/Stolen? No

Chicago Police Department - Incident Report

RD #: [REDACTED]

OTHER PROPERTIES

Description: Black Holster/ Uncle Mike

Owner: [REDACTED]

Recovered?

No

Damaged?

No

NARRATIVE

EVENT# [REDACTED] IN SUMMARY: REPORTED IN 005TH DISTRICT STATION. OFF DUTY P.O. [REDACTED] (VICTIM) REPORTED THAT HE LOST HIS BLK .380 SEMI-AUTOMATIC RUGER LCP WITH FULL MAGAZINE CAPACITY (6) LIVE ROUNDS WITH (1) IN THE CHAMBER. P.O. [REDACTED] FURTHER RELATED THAT ON 12 NOVEMBER 2014 HE GOT OUT OF HIS CAR AT THE ABOVE LOCATION IN THE PARKING LOT AND ENTERED [REDACTED] TO BE FITTED FOR A VEST AND HAS NO KNOWLEDGE OF WHAT HAPPENED TO HIS .380. P.O. [REDACTED] RELATED THAT HE DID NOT KNOW THAT HE HAD LOST HIS .380 UNTIL 14 NOV 2014 WHICH IS WHEN HE BEGAN LOOKING FOR IT. SGT. 630 NOTIFIED, GUN DESK NOTIFIED AND COPY OF REPORT FAXED TO GUN REGISTRATION AT [REDACTED] V.I.N. WAS GIVEN NOTIFICATION: SUPERVISOR SGT.BROWN Beat#: Star#: 1708 Emp#: Date: 15-NOV-2014 Time: 1530 NOT

PERSONNEL

	Star No	Emp No	Name	User	Date	Unit	Beat
Approving Supervisor	1708	[REDACTED]	BROWN, Daniel, V	[REDACTED]	15 Nov 2014 18:53	005	
Reporting Officer	12559	[REDACTED]	TAYLOR, Eric	[REDACTED]	15 Nov 2014 16:35	005	0502

Report Date: 16 Dec 2014
Report Time: 0746 Hrs

Chicago Police Department

Personnel Division

**Only for active personnel*



Information Services Division
Data Warehouse
Produced by [REDACTED]

Complimentary History

Name	Title	Star	Unit	Detail Unit	Emp Number
WALTHALL, MARKUS K	9161	17409	003		[REDACTED]

Achievements

Total No.

PRESIDENTIAL ELECTION DEPLOYMENT AWARD 2008	1
ATTENDANCE RECOGNITION AWARD	1
HONORABLE MENTION	21
COMPLIMENTARY LETTER	2
UNIT MERITORIOUS PERFORMANCE AWARD	1
NATO SUMMIT SERVICE AWARD	1
2004 CRIME REDUCTION RIBBON	1
2009 CRIME REDUCTION AWARD	1
DEPARTMENT COMMENDATION	3
TOTAL AWARDS	32

CR# 1072568

NOTE: THIS REPORT IS FOR OFFICIAL LAW
ENFORCEMENT / AUTHORIZED USE ONLY.
THE INFORMATION IS CURRENT AS OF THE
DATE AND TIME OF THE REPORT. THIS



CPD 0266272

INVESTIGATIONS DIVISION
General Investigations Section

16 Dec 2014
Log No. 1072568

1 This is the statement of accused P.O. Markus WALTHALL, Star # 17409, Employee #
2 [REDACTED] Unit 003, relative to allegations made by Sgt. Daniel BROWN #1708, Unit 005, in
3 that on 12 Nov 2014 at approximately 1130hrs, while off duty, the accused failed to
4 properly secure his weapon to wit: a loaded LCP Ruger, 380 caliber pistol, Serial #
5 [REDACTED] The accused officer went to [REDACTED] removed his weapon from his
6 person and noticed it was missing upon looking for it.
7

8 Statement is being taken at the Bureau of Internal Affairs, Investigations Division, 3510
9 S. Michigan Avenue, Chicago, Illinois.
10

11 Questioned &
12 Typed by: Sgt James BAIER #879
13

14 Date, Time: 16 Dec 2014 @ 0636hrs
15

16 Witnessed by:
17
18
19
20
21

22 SGT BAIER: What is your full name, rank, star number and unit of assignment?
23 WALTHALL: Markus K. WALTHALL, Police Officer, Star # 17409, Unit 003
24

25 SGT BAIER: What is your date of birth and Employee Number?
26 WALTHALL: [REDACTED]
27

28 SGT BAIER: What is your date of appointment to the Department?
29 WALTHALL: 29 April 2002
30

31 SGT BAIER: How long have you been assigned to your present unit?
32 WALTHALL: 3years
33

34 SGT BAIER: Have you been advised in writing of the charges/allegations made
35 against you, the name of the complainant, the date and time of the
36 incident, and your administrative rights thereto?
37 WALTHALL: Yes
38

39 SGT BAIER: Did you read and understand these charges/allegations and your
40 rights?
41 WALTHALL: Yes
42

43 SGT BAIER: Are you accompanied by counsel/representative of your choosing,
44 and if so, identify him for the record?
45 WALTHALL:
46


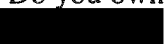
Initials: MW


Or 


Page 1 of 53


MW

Log No. 1072568
Attachment No.: _____

47
48 Are you now prepared to give this statement without the aid of
49 counsel/representative?
50 WALTHALL: ~~Yes~~ I have counsel MW .
51
52 SGT BAIER: Do you understand that this is an official Police Department report
53 and that any deviation from the truth could result in allegations or
54 charges being placed against you?
55 WALTHALL: Yes
56
57 SGT BAIER: "Rule 14" of the Chicago Police Department's Rules and
58 Regulations prohibits making false reports, whether written or oral.
59 You may be separated from the Chicago Police Department if you
60 make a false report. Do you understand?
61
62 WALTHALL: Yes
63
64 SGT BAIER: Are you ready to give your statement at this time?
65
66 WALTHALL: Yes, however this statement is not being given voluntarily, but
67 under duress. I am only giving this statement because I know that
68 I would lose my job if I refuse the direct order given to me.
69
70 SGT BAIER: Do you own a Ruger LCP, 380 caliber, 2.75 inch barrel, Serial #
71 
72 WATHALL Yes
73
74 SGT BAIER: When was the last time you were in possession of the above listed
75 firearm?
76
77 WALTHALL: 15 Nov 2014
78
79 SGT BAIER: Are you aware of the current whereabouts of the above listed
80 firearm?
81
82 WALTHALL: No
83
84 SGT BAIER: How did the above listed firearm come to be missing?
85
86 WALTHALL: I had it on my person at the uniform store and when I went to look
87 for it I couldn't find it.
88
89 SGT BAIER: How did you have the above listed firearm secured on your
90 person?
91 WALTHALL: I had it in a holster attached to my belt.
92

Initials: MW 

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MW

Log No. 1072568
Attachment No.: _____

INVESTIGATIONS DIVISION
General Investigations Section

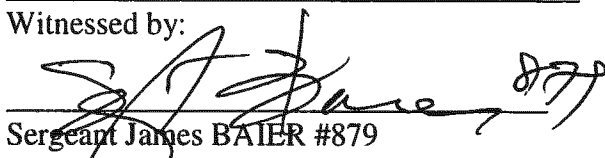
16 Dec 2014
Log No. 1072568

93 SGT BAIER: Did you take the holster off at the uniform store?
94 WALTHALL: Yes, I took it off to try on a vest in the dressing room.
95
96 SGT BAIER: Did you report the above listed firearm lost under [REDACTED]
97 [REDACTED]
98
99 WALTHALL: yes
100
101
102 SGT BAIER: Did you make the proper notifications in a timely manner?
103 WALTHALL: yes
104
105 SGT BAIER: Did you take the holster off at the uniform store?
106
107 WALTHALL: Yes, I took it off to try on a vest in the dressing room.
108 SGT BAIER:
109
110 SGT BAIER: Is there anything relative to this incident that you wish to add to
111 this statement?
112
113 WALTHALL: No
114
115 SGT BAIER: After reading this statement consisting of 3 pages and finding it
116 contains the responses you have given, will you sign it?
117 WALTHALL: Yes
118
119
120 SGT BAIER: Statement concluded at 0636 hrs.
121
122
123

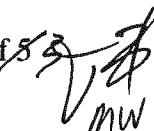
124 PO Walthall #17409

125 Police Officer Markus WALTHALL #17409
126 Unit 003
127
128

129 Witnessed by:

130 
131
132 Sergeant James BAIER #879
133 Investigations Division
134 General Investigations Section
135
136
137
138

Initials: MW 

Page 3 of 5 
MW

Log No. 1072568
Attachment No.: _____

CPD 0266275



DEPARTMENT APPROVED WEAPONS AND AMMUNITION

ISSUE DATE:	27 December 2013	EFFECTIVE DATE:	27 December 2013
RESCINDS:	14 June 2012 Version		
INDEX CATEGORY:	Uniform and Personal Equipment		

I. PURPOSE

This directive:

- A. provides specifications relative to semiautomatic pistols, revolvers, subcompact semiautomatic pistols, carbines, shotguns, ammunition, pistol mounted lights, OC spray, and Tasers for sworn members.
- B. outlines the firearm transition process.
- C. delineates Department approved firearms.
- D. continues the use of:
 - 1. Certifying Statement-Firearms Form ([CPD-11.702](#)),
 - 2. Firearms Purchase Authorization/Sworn Members (CPD-31.220),
 - 3. Firearms Disposition Form (CPD-31-610),
 - 4. Firearms Registration Application (CPD-31.562),
 - 5. Affidavit of Employment ([CPD-31.563](#)),
 - 6. the Firearms Training and Certification available through ICLEAR, and
 - 7. the Firearm Loan Receipt ([CPD-63.344](#)).

II. POLICY

- A. Sworn members may only arm themselves with the firearms, ammunition, aerosol devices, pistol mounted lights, and Taser devices as specifically approved by this directive.
- B. Any other weapon as described in [720 ILCS 5/24-1](#) or [720 ILCS 5/33A-1](#) is strictly prohibited.
- C. While sworn members are permitted to carry firearms during nonduty hours, they are instructed to refrain from doing so when there is a likelihood that they will be consuming alcoholic beverages or medications which may impair their physical and/or mental abilities. Nothing in this policy statement is to be construed as diminishing a sworn member's responsibility to take appropriate police action, which can be as little as summoning the police for help, when observing a crime in progress.
- D. A sworn member will not lend his firearm to any other person nor will a sworn member possess or carry a firearm registered to another person except as authorized by the Deputy Chief, Education and Training Division. During an emergency situation, however, a sworn member may lend his firearm to another sworn member or person who has been summoned to assist him in the performance of his official duty.
- E. The Department will offer training to ensure that weapons are safely handled and used in accordance with local, state, and federal laws and Department policy.
- F. Department members must qualify annually with all prescribed, alternate prescribed, or auxiliary firearms, shotguns, Taser devices, and short-barreled revolvers prior to carrying the firearm on or off duty. The Education and Training Division will maintain a record of all weapons a Department member is approved to carry.

- G. Department members will possess a valid Firearm Owner's Identification Card (FOID).

NOTE: Members will provide proof of a valid FOID card during the annual prescribed weapon qualification.

- H. Sworn members will register all duty and nonduty firearms with the Department.

III. GENERAL INFORMATION

- A. The prescribed firearm for all sworn members hired on or before 01 December 1991 is a Department approved revolver or semiautomatic pistol. Department members hired on or before 01 December 1991 electing to carry an approved semiautomatic pistol as their prescribed firearm must first successfully complete a firearm transition process.
- B. The prescribed firearm for all sworn members hired after 01 December 1991 is a Department approved semiautomatic pistol.
- C. Department members may transition to a Department approved striker-fired semiautomatic pistol. A transition to a revolver as a prescribed firearm will not be permitted.
- D. Department members will not be required to transition to a new firing system in order to comply with this directive.
- E. Authorized Department members can access current approved Firearms Training and Certification of all members by logging onto the CLEAR system.

IV. AUTHORIZATIONS AND RESTRICTIONS FOR FIREARMS AND EQUIPMENT

The following provisions apply only to firearms intended to be used in the performance of police-related duties:

- A. Uniformed sworn members will:
1. carry their prescribed firearm or alternate prescribed firearm in a Department-approved holster.
 2. for exposed firearms, wear a Department-approved holster attached only to the trouser or equipment belt.
 3. not carry more than two exposed firearms.
- B. When in citizen's dress, members will carry their firearms and extra ammunition in Department-approved holsters and ammunition carriers.
- C. The appropriate bureau chief or exempt member of the Office of the Superintendent may authorize the use of additional weapons / ammunition by specialized units within the Department. This authorization will be in the form of a To-From-Subject report. Copies of the authorization will be maintained in each bureau with one copy forwarded to the Education and Training Division.

NOTE: The To-From-Subject report will provide justification for the use of the additional weapons/ammunition and a recommended certification procedure to be administered by the Education and Training Division.

V. FIREARM TRANSITION PROCESS

- A. Department members who elect to transition from their prescribed revolver to a striker-fired semiautomatic firearm will be required to successfully complete a firearm transition process as determined by the Deputy Chief, Education and Training Division.

NOTE: Department members who elect to transition from their prescribed revolver to a semiautomatic firearm as their prescribed weapon will not be allowed to revert to the revolver as their prescribed weapon once they complete the transition process. However, Department members will be approved to utilize their revolver as an alternate prescribed weapon or auxiliary weapon upon completion of existing training.

- B. Department members who elect to transition from their prescribed CFS or DAO semiautomatic pistol to a striker-fired semiautomatic firearm will be required to successfully complete a firearm transition process as determined by the Deputy Chief, Education and Training Division.
- C. Department members who elect to carry a striker-fire semiautomatic pistol as an auxiliary or alternate weapon but do not elect to transition from their prescribed weapon must comply with all the requirements of the transition process and attend the appropriate training.

NOTE: The Education and Training Division will notify Department members when the firearm transition process is available. All transition courses will be available on a voluntary basis during off-duty hours.

VI. REPLACEMENT, TRANSFER, AND REGISTRATION OF FIREARMS; REPORTING OF LOST OR STOLEN FIREARMS/WEAPONS

- A. Legislation

1. [Chapter 430, Article 65](#) of the Illinois Compiled Statutes, known as the Firearm Owners Identification Card Act, states that no person may acquire or possess any firearm or firearm ammunition without having in his or her possession a current Firearm Owner's Identification Card (FOID).
2. Provisions of this article do not apply to law enforcement officials while engaged in their official duties.
3. However, based upon the language of the statute and case law, a law enforcement officer violates the Firearm Owner's Identification Card requirements if he or she is in possession of a firearm without a Firearm Owner's Identification Card while performing a task not related to his or her duties.

NOTE: For example, a law enforcement official who is shopping for personal groceries, regardless of duty status, is not engaged in the operation of his or her official duties, and therefore would violate the Firearm Owner's Identification Card requirements of Section 65/2 of The Firearms Owner's Identification Card Act.

4. Department policy requires all members to have a valid FOID card and possess the FOID card while on-duty.
- B. The Gun Control Act of 1968 (GCA), as amended by the Omnibus Consolidated Appropriations Act of 1997, makes it unlawful for any person convicted of a misdemeanor crime of domestic violence to ship, transport, possess, or receive firearms or ammunition. The GCA further prohibits persons from selling or otherwise disposing of a firearm or ammunition to any person known to have been convicted of a misdemeanor crime of domestic violence, or to anyone who they have reasonable cause to believe has been convicted of a misdemeanor crime of domestic violence. This prohibition does apply to all law enforcement officers.

C. Prescribed Firearms/Temporary Replacement

1. Temporary replacement of a prescribed firearm may be obtained if:
 - a. the sworn member's prescribed firearm is lost, stolen, unserviceable, or has failed to pass inspection. With the approval of the unit commander, station supervisor, designated unit supervisor, or the firearms range officer, the affected member may submit a request for a temporary replacement firearm and ammunition by submitting a To-From-Subject report approved by his or her unit commanding officer and all related documentation (such as case reports, gunsmith repair receipts, purchase orders, etc.) to the Deputy Chief, Education and Training Division.
 - b. the sworn member's prescribed firearm is to be examined by the Forensic Services Section. The member may request a temporary replacement of a prescribed firearm, if necessary, by:
 - (1) generating a To-From-Subject report requesting the temporary replacement and obtaining the station supervisor's or designated unit supervisor's written approval.
 - (2) submitting the approved To-From-Subject report, along with copies of the Tactical Response Report ([CPD-11.377](#)) and the Property Inventory Report (CPD-34.523) listing the member's prescribed firearm, to the Deputy Chief, Education and Training Division.
2. A sworn member who has been issued a temporary replacement firearm will be responsible for the proper care, maintenance, and return of the firearm to the Education and Training Division. If a member must retain the replacement firearm for more than thirty days, the member will appear in person at the Education and Training Division with the loaned firearm and submit a To-From-Subject report with the station supervisor's or designated unit supervisor's approval explaining the need for an extension.
3. The Firearm Loan Receipt ([CPD-63.344](#)) will be prepared when a replacement firearm is issued.

D. Replacement Ammunition

1. Each district is supplied 200 of the following Department-approved duty ammunition cartridges:
 - a. .38 Special +P,
 - b. 9mm,
 - c. .40 caliber S&W,
 - d. .45 caliber ACP.
 - e. 5.56mm

NOTE: Each district will be supplied with 50 rounds of OO buck shotgun ammunition.

2. The designated unit supervisor is responsible for the security and issuance of this ammunition. Additional cartridges will be requested from the Firearms Training Unit, Education and Training Division.
3. Any member, regardless of assignment, may obtain replacement ammunition for Department-issued cartridges that are lost, stolen, damaged, defective, or expended in the line of duty.
4. Whenever the replacement of ammunition is necessary, the requesting member will submit a copy of a Tactical Response Report and/or other related documentation to the designated unit supervisor from the district of occurrence.

5. The designated unit supervisor will note the number and type of ammunition issued, sign his or her name, and enter his or her rank on the reverse side of the report(s). The report(s) will be forwarded to the issuing district commander.
6. Members will follow established material requisition procedures and submit copies of the Tactical Response Report and/or related documentation when requesting replacement of expended, damaged, lost, stolen, or defective Department ammunition for the district supply.

E. Purchase of Firearms from a Dealer

1. A sworn member who elects to purchase a duty-related revolver, semiautomatic firearm, or high-capacity magazine and requests a waiver of the required waiting period will complete one copy of the Certifying Statement - Firearms form (CPD-11.702) and present it to the firearms dealer at the time of purchase.

NOTE: Firearms dealers are not required to accept the Certifying Statement-Firearms and may require a sworn member to abide by the waiting period.

2. The Certifying Statement - Firearms form will be retained by the firearm dealer as verification of the exempt status of the sworn member.

F. Sale or Transfer of Firearms Between Sworn Members

1. Department members must comply with all legal requirements before they sell, transfer, or dispose of a firearm or other deadly weapon.
2. The sale and transfer of all firearms from one sworn member to another sworn member requires the buyer and seller to possess an FOID card.
3. A member selling or transferring a firearm will complete a Firearms Disposition form (CPD 31.610) and submit the completed form to the Gun Registration Unit.
4. A member buying or receiving a firearm will:

- a. report in person to the Gun Registration Unit and complete a Firearms Purchase Authorization / Sworn Member form (CPD-31.220),

NOTE: The Firearms Purchase Authorization / Sworn Member form may only be obtained from and completed at the Gun Registration Unit.

- b. complete a Department Firearms Registration Application for the received firearm, and
- c. provide a photocopy of their CPD identification and FOID card with the Firearms Registration Application.

G. Department Firearm Registration

1. All firearms owned by a sworn member must be registered per order of the Superintendent. It is the responsibility of the sworn member owning or possessing a firearm to comply with these provisions.
2. All firearms require one-time registration.
 - a. Firearms acquired and registered with the Department prior to 09 July 2013, are not required to be re-registered.
 - b. Firearms acquired 09 July 2013, or after, or previously owned firearms that have not been registered with the Department, must be registered with the Department upon the effective date of this directive.
3. There is no registration fee for firearms owned by sworn Department members.

4. Department members are required to notify the Gun Registration Section upon any sale, replacement, transfer, loss, theft, or other registration change of the firearm.

NOTE: Loss or theft of a firearm will be reported following the procedures delineated in Item VI-I of this directive.

H. Firearm Registration Procedures

A Firearm Registration Application must be completed for each firearm to be registered.

1. Duty-Related Firearms Procedures

- a. When registering duty-related firearms, members will comply with all of the instructions stated on the reverse side of the Firearm Registration Application. In addition, a member registering only a duty-related firearm(s) will:
- (1) enter "CPD" and his or her unit number of assignment on the "A" and "C" portions of the application in the box entitled "Business Address."
 - (2) submit the completed Firearm Registration Application to the member's designated unit supervisor.
 - (3) submit an Affidavit of Employment (CPD-31.563) with the Firearms Registration Application if the member is a probationary police officer.
 - (4) upon the return of the approved application from the designated unit supervisor, forward the application via intradepartmental mail to the Gun Registration Unit.
- b. The designated unit supervisor will review Firearm Registration Applications for duty-related firearms only to verify that:
- (1) the named applicant is a sworn member of the Department,
 - (2) all instructions have been followed and that the necessary attachments have been submitted, and
 - (3) the firearm listed on the application is a Department approved duty-related firearm.

NOTE: The designated unit supervisor will attest to the information listed above by signing their name, star number, and unit of assignment in the appropriate space of the "D" portion of the application.

2. Non-duty-Related Firearms Procedures

- a. When registering non-duty-related firearms, members will comply with all of the instructions stated on the reverse side of the Firearm Registration Application.
- b. Members registering a non-duty-related firearm will submit the completed Firearm Registration Application, a copy of their valid FOID card, and a copy of CPD Identification directly to the Gun Registration Unit. Intradepartmental mail may be used. **Do not separate the Firearms Registration Application(s).**
- c. Certificates of Registration for non-duty-related firearms will be returned directly to the registering member.

I. Reporting Requirements – Loss or Theft of Firearms / Weapons

1. Responsibilities of Members Reporting the Loss or Theft of Firearms / Weapons

- a. If the loss or theft of a firearm or weapon occurs within the City of Chicago, the member will promptly report the incident to the Department. The member preparing the case report will:
 - (1) complete the appropriate case report in accordance with existing Department procedures.
 - (2) ensure that an Administrative Message Center (AMC) message is sent and that the AMC message number is included in the narrative portion of the case report.
 - (3) indicate "Extra Copies Required" with the notation "one copy to Gun Registration."
- b. If the incident occurs outside the corporate boundaries of the City of Chicago, the member will:
 - (1) promptly report the incident to the law enforcement agency having jurisdiction.
 - (2) immediately notify Alternate Response Section (ARS) or the Office of Emergency Management and Communications (OEMC) upon return to the City of Chicago. The OEMC will assign a beat officer who will prepare a General Offense Case Report (CPD-11.380) using Offense Code 5081 (Other Non-Criminal Service Concerning Property) as the primary classification. The beat of occurrence will be shown as 3100 for incidents occurring outside the corporate boundaries of the City of Chicago. The beat of occurrence will be shown as 4100 for incidents occurring outside of the State of Illinois. The narrative portion of the case report will include:
 - (a) an account of the incident.
 - (b) the manufacturer, model, and serial number of the firearm / weapon.
 - (c) the responsible agency's incident or case report number and the LEADS/NCIC number.
 - (d) indication of "Extra Copies Required;" "one copy to Gun Registration."

2. Responsibilities of Supervisory / Command Members

Whenever a reported criminal incident involves a firearm or weapon owned by the Department or a firearm or weapon for which the Department is responsible, supervisory / command members will ensure that:

- a. CPIC is notified.
- b. a copy of the case report and related documentation is forwarded to both the First Deputy Superintendent and the Deputy Chief, Education and Training Division.
- c. if the member is unable to report the loss or theft of firearms/weapons, the first on-duty supervisor having knowledge of the occurrence will assume the initial reporting responsibility.

VII. INTERSTATE TRANSPORT OF FIREARMS OR AMMUNITION

- A. A sworn member whose duty assignment involves the interstate transport of a person in custody or otherwise requires them to be armed while traveling outside of the State of Illinois will conform to federal, state, and local laws.

- B. A sworn member will ascertain and comply with the regulations governing the possession and transportation of firearms/ammunition while using a public common carrier.
- C. Off duty sworn members will comply with all federal, state, and local jurisdictional regulations pertaining to possession and transportation of firearms and ammunition when traveling outside the State of Illinois.

VIII. INSPECTION

- A. Supervising sworn members will ensure that:
 - 1. firearms carried on duty are regularly inspected for cleanliness and serviceability.
 - 2. only Department-approved ammunition is used and in serviceable condition.
- B. Manual inspection of a semiautomatic pistol can only be performed by a supervisor who has completed the Roll Call Pistol Procedure Class offered by the Education and Training Division.
- C. Roll call firearms inspection will be conducted each Wednesday.

IX. FIREARM SAFETY CENTER AND BALLISTIC CLEARING STATION

- A. The firearm safety center and ballistic clearing station are free-standing units constructed of ballistic material with a compartment containing a removable ballistic lining. The safety center and clearing station are manufactured and designed to contain a fired projectile and prevent potential injury or "ricochet" in the event of an unintentional discharge.
 - 1. The firearm safety center will only be used to load and unload handguns.

NOTE: The firearm safety center will not be used to load and unload Department shotguns, rifles, or carbines.
 - 2. The ballistic clearing station will be used to load and unload Department shotguns, rifles, or carbines.
- B. The firearm safety center will be utilized by only one member at a time:
 - 1. to load and unload personal duty-related pistols and/or revolvers during the weekly inspection of firearms.
 - 2. whenever it becomes necessary for a member to load or unload his or her personal duty firearm while in a police facility equipped with a firearm safety center.
 - 3. to unload any handgun taken into custody. If a member is unable to render the firearm safe, the member will follow the procedures outlined in the Department directive entitled "Firearms Taken Into Custody Or Turned In."
- C. All district stations and any other police facility designated by the Chief, Bureau of Organizational Development, will be equipped with a firearm safety center and ballistic clearing station.
- D. District/unit commanding officers will identify a location within the police facility for the placement of the firearm safety center and ballistic clearing station. The location will be readily accessible to sworn members (e.g., roll call rooms).
- E. Inspection of the firearm safety center and ballistic clearing station will be conducted at the beginning of each tour of duty by the station supervisor or designee.
- F. In the event of an unintentional discharge inside the firearm safety center or ballistic clearing station, the documentation procedures enumerated in the Department directive entitled "Weapon Discharge Incidents Involving Sworn Members" will be followed. In addition, the following procedures will be followed:
 - 1. The member responsible for the discharge will complete a Tactical Response Report (TRR) (CPD-11.377).

2. The member's supervisor will review the TRR for legibility and completeness and indicate approval of such by signing in the appropriate box.
 3. The "Watch Commander / OCIC" section of the TRR will be completed in the following manner:
 - a. If no person is injured or killed as a result of the unintentional discharge, the district executive officer or district commander will complete this section. The district executive officer or district commander will:
 - (1) indicate that further investigation is required.
 - (2) ensure that:
 - (a) A Complaint Register (CR) initiation report is prepared.
 - (b) The original of the TRR is attached to the initiation report and forwarded directly to the Independent Police Review Authority.
 - b. If a person is injured or killed as a result of the unintentional discharge:
 - (1) the appropriate area deputy chief, Bureau of Patrol, area executive officer, Bureau of Patrol, or / On-Call Incident Commander, will complete "Watch Commander / OCIC" section, return the completed TRR to the station supervisor conducting the preliminary investigation, and ensure that a CR initiation report is prepared.
 - (2) the designated unit supervisor will ensure that the original of the TRR is attached to the original of the case report documenting the firearm discharge and forwarded through normal channels
 - G. Any damage to the firearm safety center or ballistic clearing station which is not firearm related will be reported in accordance with existing procedures.
 - H. Regardless of the type of damage to the firearm safety center or ballistic clearing station, the designated unit supervisor will:
 1. immediately take the firearm safety center or ballistic clearing station out of service.
 2. notify the Firearms Training Unit.
 - I. The Firearms Training Unit will:
 1. conduct a thorough inspection of the firearm safety center or ballistic clearing station.
 2. determine whether repair or replacement of any damaged part(s) is necessary.
 - J. Members will refrain from using a damaged firearm safety center or ballistic clearing station until repairs have been completed and written authorization from the Firearms Training Unit to resume use has been received by the district commander or unit commanding officer. If necessary, a member requiring the use of a firearm safety center or ballistic clearing station will utilize one in a nearby district or unit.
- X. PRESCRIBED DUTY WEAPON LOCKING DEVICE**
- A. Sworn Department members will secure their prescribed duty firearm when the prescribed duty firearm is not on their person.

- B. Sworn members are encouraged to secure any/all other firearms which may be in their possession or under their control as mandated by Illinois Compiled Statute (ILCS) entitled "Firearms; Child Protection" (720 ILCS 5/24-9).

NOTE: Effective 1 January 2000, 720 ILCS 5/24-9 "Firearms; Child Protection," states that a firearm must be secured when the likelihood exists that a minor under the age of 14 could gain unlawful access to the firearm. Department policy regarding the securing of a sworn member's prescribed duty firearm is more restrictive.

- C. Sworn Department members not carrying their prescribed duty firearm on their person and not having an alternate means to secure the prescribed duty firearm will place a locking device on their prescribed duty firearm.

NOTE: Sworn Department members may secure their prescribed duty firearm in a locked box/container or secured in another location that a reasonable person would believe will prohibit access to the prescribed duty firearm by unapproved individuals and meet the requirements of 720 ILCS 5/24-9.

- D. The Deputy Chief, Education and Training Division, will ensure that Department members receive annual instruction during the Prescribed Weapon Qualification Program on proper procedures for securing their prescribed duty firearm.

XI. DEPARTMENT SPECIAL WEAPONS AND EQUIPMENT

- A. The First Deputy Superintendent, the Chief, Bureau of Patrol, the Chief, Bureau of Detectives, the Chief, Bureau of Organized Crime, and the Chief, Bureau of Organizational Development may authorize the deployment of Department special weapons for use by selected units within their respective bureaus.
- B. Special weapons will only be issued to sworn members who are certified by the Education and Training Division or the Special Weapons and Tactics (SWAT) Unit in the use of special weapons. Sworn members may be issued only those special weapons for which they are certified.
- C. The SWAT Unit will field Special Operations Response Teams (SORT) trained and equipped with special weapons.
- D. Department special weapons include, but are not limited to:
1. rifles, carbines, shotguns, and submachine guns;
 2. chemical agents, smoke dispensing devices and their launchers, impact munitions, and distraction devices.

NOTE: Department special weapons do not include person aerosol chemical devices, Taser devices, or batons.

XII. DEPARTMENT ARSENAL

- A. Department weapons and ammunition will be stored in the Department Arsenal.

EXCEPTION: A limited quantity of Department special weapons and ammunition will be maintained at each designated unit.

- B. The Firearms Training Unit, Education and Training Division, will:
1. provide for the repair and maintenance of all Department-owned weapons with the exception of routine cleaning and oiling.
 2. provide replacement shotguns when available for unit shotguns that are stolen, lost, or under repair.

3. train Department members who are certified in the use of special weapons to fulfill basic weapon maintenance requirements.
4. supply the firearm ranges with necessary firearms/weapons, ammunition, targets, or other related supplies and equipment.
5. conduct and file a Department-wide inventory and maintenance inspection report of all Department firearms / weapons, equipment, and ammunition. This report will be submitted to the Deputy Chief, Education and Training Division.
6. perform other designated technical duties.

XIII. ARSENAL COMMITTEE

- A. The Arsenal Committee will be composed of the following members:
 1. Voting Members:
 - a. Deputy Chief, Education and Training Division;
 - b. Director, Research and Development Division; or designee,
 - c. Range Master, Education and Training Division;
 - d. Firearms Technician, Forensic Services Section;
 - e. Chief, Bureau of Patrol or designee.
 - f. A sworn member of the Management and Labor Affairs Section;
 - g. A sworn member from the Special Weapons and Tactics (SWAT) team.
 2. Non-Voting Members:
 - a. A member from the Office of Legal Affairs;
 - b. In-service Training Sergeant, Education and Training Division;
 - c. A sworn member of the Research and Development Division.
- B. The Deputy Chief, Education and Training Division, will serve as Chair of the Arsenal Committee.
- C. The Director, Research and Development Division, will serve as Vice-Chair.
- D. Committee members who determine there is a need for a meeting will communicate with the Chair. Committee meetings will convene upon notification from the Chair during normal business hours where practicable.
- E. A sworn member of the Research and Development Division will attend all meetings, serve as secretary to the committee, and provide official liaison between the committee and retailers, manufacturers, and other suppliers of weapons and related equipment.
- F. Committee affairs will be conducted only when a quorum of the membership is present. A quorum will consist of at least four committee members of which one will be the Chair or Vice-Chair. Issues will be voted upon by all the present committee members.
- G. Responsibilities of the Arsenal Committee include:
 1. development of weapon specifications for the Department.
 2. conducting research and evaluating weapons and/or ammunition for possible use by Department members.
 3. making recommendations to the Superintendent relative to the adoption or discontinuation of weapons and/or ammunition for use by Department members.

(Items indicated by *italics/double underline* were added or revised.)

Authenticated by: JKH

Garry F. McCarthy
Superintendent of Police

13-090 AMR

GLOSSARY TERMS:

1. **Prescribed Firearm**
A required firearm which must be used/carried by a sworn officer
2. **Alternate Prescribed Firearm**
A firearm which may be used/carried by a sworn officer in lieu of a prescribed firearm.
3. **Alternate Prescribed Firearm Only**
A firearm which may be used/carried by a sworn officer in lieu of a prescribed firearm that can only qualify as an alternate prescribed firearm.
4. **Auxiliary Firearm**
A firearm which may be used or carried by a sworn officer in addition to a prescribed or alternate prescribed firearm.
5. **Police Carbine Operator Program**
The overall program developed by the Department for the approval, procurement, training, security, issuance, use, and maintenance of Department-approved carbines.
6. **Carbine Operator Course**
A voluntary five-day course members must initially pass to be qualified to participate in the Police Carbine Operator Program.
7. **Carbine Operator Requalification Course**
A block of training required for members in the Police Carbine Operator Program. This course is taken subsequent to the Carbine Operator Course and must be completed to maintain qualification.

8. **Carbine Familiarization Course**
A block of instruction relative to the safe handling, loading, and unloading of the carbine as well as placement and removal from gun racks and locks.
9. **Personal Carbine Operator Zeroing Course**
A block of instruction required for police carbine operators who own personal carbines that must be zeroed before approval for duty use.
10. **Carbine**
A short-barreled, lightweight semiautomatic rifle.
11. **Police Carbine Operator**
A member trained by the Department to be armed with a carbine while assigned to routine field duties.
12. **Arm/Arming**
Removing a carbine from a Department vehicle and chambering a round.
13. **Deployment**
The act of issuing / placing a carbine into a Department vehicle gun lock for duty.
14. **Tactical Sling**
A device used to carry the rifle in a hung position in front of the body.
15. **Zero/Zeroed**
At a prescribed distance, the point of aim is aligned with the point of bullet impact.
16. **ChamberSafe®**
A high-visibility device, normally orange in color, used to readily identify, from a distance, that a rifle chamber is empty and safe.
17. **Personal Carbine**
A duty carbine purchased, registered, and owned by a member participating in the Police Operator Carbine Program.
18. **Optical Sighting System**

A device mounted or attached to a rifle that assists a shooter with quick target acquisition. An optical sighting system is **NOT a laser sight**.

ADDENDA:

1. U04-02-01 - Department Approved Semiautomatic Pistols and Ammunition
2. U04-02-02 - Department Approved Revolvers and Ammunition
3. U04-02-03 - Personal Oleoresin Capsicum (OC) Devices
4. U04-02-04 - Taser Devices
5. U04-02-05 - Police Carbine Operator Program
6. U04-02-06 - Department Approved Auxiliary Subcompact Semiautomatic Pistols and Ammunition
7. U04-02-07 - Semiautomatic Pistol-Mounted Lights
8. U04-02-08 - Department Approved Shotguns
9. U04-02-09 - Expandable Baton

**BUREAU OF INTERNAL AFFAIRS
RECORDS SECTION**

18 DECEMBER 2014

TO: COMMANDING OFFICER UNIT 121

**FROM: RECORDS SECTION
INTERNAL AFFAIRS DIVISION**

SUBJECT: PREVIOUS SUSTAINED DISCIPLINARY HISTORY OF:

WALTHALL	MARKUS	17409	003
NAME	(LAST, FIRST)	STAR	UNIT
MALE	BLACK		
SEX	RACE	EMPLOYEE#	

**REFERENCE: COMPLAINT REGISTER / LOG NUMBER 1072568
THE PREVIOUS SUSTAINED DISCIPLINARY HISTORY OF THE SUBJECT
ACCUSED HAS BEEN REQUESTED IN YOUR NAME BY:**

SGT.	BAIER	879	121
RANK	NAME	STAR	EMPLOYEE# UNIT

**RELATIVE TO A SUSTAINED FINDING IN THE INVESTIGATION OF THE
ABOVE REFERENCE COMPLAINT LOG NUMBER.**

**THE RECORDS SECTION, BUREAU OF INTERNAL AFFAIRS, DISCLOSED
THE FOLLOWING DISCIPLINARY ACTION ADMINISTERED TO THE
SUBJECT ACCUSED FOR THE PAST FIVE (5) YEARS.**

VERIFIED / PREPARED BY;

NIYA SCOTT

**NONE
SEE ATTACHED**

**FOR: COMMANDING OFFICER
RECORDS SECTION
BUREAU OF INTERNAL AFFAIRS**

**Investigations Division
General Investigations Section**

**18 December 2014
Log# 1072568**

TO: Lieutenant Edwin J. KAUP Jr., Star 771
Commanding Officer
General Investigations Section

FROM: Sergeant James M. BAIER, Star 879
Investigations Division
General Investigations Section


SUBJECT: Completion of Complaint Log Number 1072568

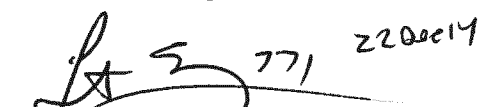
The following investigation is complete and submitted for approval.



Sergeant James M. BAIER #879
Investigations Division
General Investigations Section

Approved:

22 DEC 14

Case Management Supervisor
Investigations Division
General Investigations Section

22 DEC 14

Commanding Officer
Investigations Division
General Investigations Section

SUMMARY REPORT
CHICAGO POLICE DEPARTMENTLOG NO
1072568TYPE
CRDATE OF REPORT
18-DEC-2014**TO: DEPUTY SUPERINTENDENT, BUREAU OF PROFESSIONAL STANDARDS**
ATTENTION: CHIEF, INTERNAL AFFAIRS DIVISION

FROM - INVESTIGATOR'S NAME	RANK	STAR NO	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
BAIER, JAMES	9171	879		121	

REFERENCE NOS.(LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

INCIDENT ADDRESS		DATE / TIME: 12-NOV-2014 11:11	BEAT: 2212
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ACCUSED

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNIT DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY ?	SWORN ?
WALTHALL, MARKUS K	9161	17409	5524	003		M / BLK		29-APR-2002	NO	YES

REPORTING PARTY

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
BROWN, DANIEL	RANK: 9171, STAR NO: 1708, EMP NO			M / WHI	46

VICTIMS

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
------	----------	------------	-----------	------------	-----------

WITNESSES

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
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* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

ALLEGATIONS

** SEE LAST PAGE FOR INSTRUCTIONS FOR STATING ALLEGATIONS, AND COMPLETING THE REMAINDER OF THE SUMMARY REPORT.

SEE ATTACHED PAGES

INSTRUCTIONS FOR THE SUMMARY REPORT

AFTER COMPLETING THE FORM, CONTINUE THE SUMMARY REPORT ON 8 1/2 x 11 INCH WHITE PAPER.

ALLEGATIONS

In narrative form, state how, when, where, and by whom the complaint was received. State the date, time, and location where the incident occurred, and summarize the complaint. If more than one allegation is made, enumerate each allegation as follows:

- No. 1 (Summarize the allegation)
- No. 2 (Summarize the allegation)

2. EVIDENCE

Number and attach all statements, reports, and other evidence gathered, on the lower right hand corner. The Complaint Log number must also be entered on the lower right hand corner of each attachment. Following are numbered (EXAMPLES ONLY).

Attachments:

- No. 1 Face Sheet - Yellow
- No. 2 Letter of complaint from victim
- No. 3 Statement of victim
- No. 4 Statement of witness (give name)
- No. 5 Report of member (give name)
- No. 6 Statement of member (give name)
- No. 7 Progress report of investigator (give name)
- No. 8 Copy of certified letter to reporting party
- No. 9 Copy of Alcoholic Influence Report (accused)
- No. 10 General Offense Case Report, R.D. _____
- No. 11 Signed Sworn Affidavit

3. INVESTIGATION

In narrative form, indicate the fact-finding processes followed and the information ascertained as a result of the investigation. Whenever reference is made to an attachment, indicate the attachment number.

4. FINDINGS

Each allegation must be classified as either of the following:
Unfounded - Exonerated - Not Sustained - Sustained - No Affidavit.

If the classification is "Sustained," indicate the rule number violated, the context of the rule, and how the rule was violated by the member.

Example: Allegation No. 1. Unfounded

Allegation No. 1. Sustained - Violation of Rule 12,
Failure to wear the uniform as prescribed, in that on 27 Feb 84
the accused was found to be wearing a non-prescribed short
sleeve shirt.

Even though the original allegation(s) may be Unfounded, etc., the investigation may uncover a violation of serious nature unrelated to the original complaint, in which case disciplinary action should be recommended for the other violation.

Example: Allegation No. 1. Unfounded

Allegation No. 2. Not Sustained Other violation: Sustained-
Violation of Rule 26, Failure to provide the Department with
a current address and telephone number, in that the
accused related in his statement that he had moved and
obtained a new telephone number and he had failed to
provide this information to the Department.

SUMMARY OF PREVIOUS DISCIPLINARY ACTIONS and
RECORD OF PREVIOUS COMPLIMENTARY HISTORY
IN SUSTAINED CASES ONLY, copies of the accused member's
Summary of Previous Disciplinary Actions and Record of Previous
Complimentary History will be included as attachments to the final
investigation report. Refer to the General Order entitled "Complaint and
Disciplinary Procedures."

5. RECOMMENDATION FOR DISCIPLINARY ACTION

One (overall) recommendation for disciplinary action will be made by the
investigator. The recommendation will be for all sustained findings;
recommendations will not be made for each sustained allegation

Examples: 1. Violation noted, no disciplinary action warranted.
2. That the accused member be reprimanded.
3. That the accused member be suspended for days
4. That the accused member be separated from the
Department.

6. DATE INITIATED: (Date complaint was received for investigation)

7. DATE COMPLETED: (Date of this report)

8. ELAPSED TIME: (Total time, expressed in days)

(Investigator)			
Rank	Name	Star No.	Unit

9. APPROVALS

The investigator will initiate the Command Channel Review form
(CPD-44. 113-A) by completing the Investigator section.

SUMMARY REPORT

ALLEGATION(S):

NOTE: Compliant Log "TYPE" is classified CR-Sworn Affidavit Not Required

#1- It is alleged by Sgt Daniel BROWN # 1708, Unit 005 that while off duty, the accused officer went to [REDACTED] and removed his secondary weapon from his person. The accused related that the last time he recalled seeing his weapon was on 12 Nov. 2014 at 1130 hours. On 15 Nov. 2014, at 1530 hours, the accused went into the 5th District Station to report the weapon as possibly lost. The accused officer failed to properly secure his weapon. The weapon is a LCP Ruger .380 caliber, six round magazine, one in the chamber, Serial # [REDACTED]

SUMMARY:

This investigation was initiated on 15 Nov 2014 and assigned to the undersigned on 24 Nov 2014. The undersigned obtained all pertinent documents relative to the ownership and the loss of P.O. Markus WALTHALL's #17409 firearm (ATT #'s 4 6,7,8)

The undersigned reviewed the Initiation Report and the Original Case Incident Report which related in essence and not verbatim that on 12 Nov 2014 between approximately 1130 and 1330hrs at [REDACTED] the accused, P.O. WALTHALL #17409, Unit 003, failed to properly secure his weapon. The accused officer got out of his car in the parking lot and entered [REDACTED] Store to be fitted for a vest. P.O. WALTHALL #17409 then related that on 15 Nov 2014 he discovered his firearm, to wit; a Ruger, Blue Steel, .380 caliber, Serial # [REDACTED] was missing and he has no knowledge of what happened to it (ATT# 4, 8)

The accused, P.O. Markus WALTHALL #17409, Unit 003 was served with his Administrative Proceedings Rights and Notification of Charges/Allegations and reported to the Bureau of Internal Affairs offices on 16 Dec 2014 at approximately 0600hrs for a formal statement with his counsel, Attorney [REDACTED]. In his statement, P.O. WALTHALL acknowledged the same basic information as in the Initiation Report and the Original Case Incident Report; in essence and not verbatim that he entered [REDACTED] removed his firearm in the dressing room while being fitted for a vest and then noticed his firearm was missing upon looking for it on 15 Nov 2014. WALTHALL then made the proper notifications and documented the loss of his firearm (ATT# 4, 5, 6, 8, and 10).

Based on the undersigned's investigation, the statements of the involved parties and the available evidence, the undersigned finds sufficient evidence to **SUSTAIN** the allegation against the accused, P.O. Markus WALTHALL.

FINDINGS:

Accused #1: P.O. Markus WALTHALL #17409, Employee [REDACTED] Unit 003

Allegation: **SUSTAINED-Violation of Rule 2- Any action or conduct which impedes the Department's efforts to achieve its policies and goals or brings discredit on the Department.** It has been determined that between 12 Nov 2014 at 1130 hrs and 15 Nov 2014 at [REDACTED] the accused failed to properly secure his firearm, to wit; a Ruger, Blue Steel, .380 caliber Serial # [REDACTED] resulting in the loss/theft of his firearm. It is necessary that Department members know the whereabouts of their firearms at all times.

SUSTAINED-Violation of Rule 6- Disobedience of an order or directive whether written or oral. It has been determined that between 12 Nov 2014 at 1130 hrs and 15 Nov 2014 at [REDACTED] the accused failed to properly secure his firearm, to wit; a Ruger, Blue Steel, .380 caliber Serial # [REDACTED] resulting in the loss/theft of his firearm. This was done in violation of Department Directive U04-02.

RECOMMENDATION:

Based on the **SUSTAINED** finding and after taking into consideration the complimentary and disciplinary histories of the accused, the undersigned recommends P.O. Markus WALTHALL #17409, Employee # [REDACTED] Unit 003 receive a **(10)** suspension from the Chicago Police Department.

DATE INITAIED: 24 Nov 2014

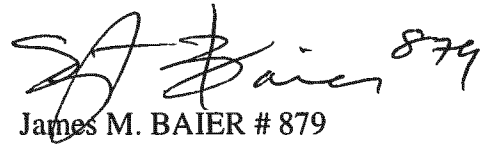
DATE COMPLETED: 18 Dec 2014

ELAPSED TIME: 24 Days

BUREAU OF INTERNAL AFFAIRS
Investigations Division
General Investigations Section

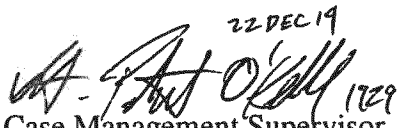
18 Dec 2014
Log # 1072568

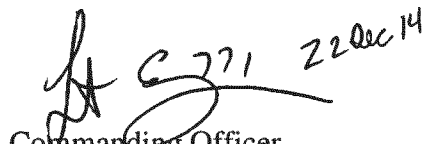
SIGNATURE PAGE ONLY



James M. BAIER # 879
Sergeant
Bureau of Internal Affairs-GIS

APPROVED:


Case Management Supervisor
Sergeant
Bureau of Internal Affairs-GIS


Commanding Officer
Lieutenant
Bureau of Internal affairs-GIS

**REQUEST FOR REVIEW OF DISCIPLINE
(REPRIMANDS AND SUSPENSIONS FROM ONE (1) TO TEN
(10) DAYS)**

BUREAU OF INTERNAL AFFAIRS/
INDEPENDENT POLICE REVIEW AUTHORITY
CHICAGO POLICE DEPARTMENT

SUPERVISOR PRESENTING TO ACCUSED:

NAME <i>Around Bethishou</i>	STAR NO. <i>2470</i>
SIGNATURE <i>Stan Butch</i>	
DATE <i>16 APR 15</i>	TIME <i>2315</i>

NAME Police Officer Markus Walthall	STAR NO. 17409	COMPLAINT REGISTER NO. 1072568
VIOLATION OF RULE NO(S). 2 & 6	PENALTY 10 Days	

NOTE: AN ACCUSED MEMBER HAS TEN (10) WORKING DAYS TO CHOOSE ONE OF THE FOLLOWING OPTIONS.
IN THE EVENT THE ACCUSED DOES NOT MAKE AN ELECTION WITHIN TEN (10) WORKING DAYS THE PENALTY WILL BE
DEEMED ACCEPTED.

☐ **ACCEPTANCE OF PENALTY**

I accept the above penalty and waive my right to a review of the penalty.



**ELECT TO FILE A GRIEVANCE SEEKING BINDING SUMMARY OPINION. I WILL SUBMIT THE APPROPRIATE GRIEVANCE
REPORT WITHIN THE TIME PARAMETERS DELINEATED IN MY COLLECTIVE BARGAINING AGREEMENT.**

Sworn represented members **SHALL NOT** be required to serve the suspension until such time as the arbitrator's award
is received.

SIGNATURE *PO Walthall* DATE & TIME *16 Apr 15 2315*
(ACCUSED MEMBER)

THE SUPERVISOR PRESENTING THIS FORM WILL NOTE THE DATE AND TIME OF PRESENTATION TO THE ACCUSED IN THE UPPER RIGHT HAND
CORNER. THE SUPERVISOR WILL SIGN (AND DATE/TIME) THE FORM AND IMMEDIATELY FORWARD THE ORIGINAL TO THE BUREAU OF
INTERNAL AFFAIRS / INDEPENDENT POLICE REVIEW AUTHORITY AND GIVE THE COPY TO THE ACCUSED.

THE ACCUSED WILL MAKE AN ELECTION AND SIGN (AND DATE/TIME) THE FORM. IF THE ACCUSED REFUSES TO SIGN THE FORM, THE
PRESENTING SUPERVISOR WILL MARK THE FORM "REFUSED", SIGN, AND FORWARD IT TO THE BUREAU OF INTERNAL AFFAIRS/INDEPENDENT
POLICE REVIEW AUTHORITY. A REFUSAL TO SIGN WILL BE DEEMED AN ACCEPTANCE OF THE PENALTY IF THE ACCUSED FAILS TO MAKE AN
ELECTION WITHIN TEN (10) WORKING DAYS.

SIGNATURE *Stan Butch* DATE & TIME *16 APR 15 2315 HRS*
(SUPERVISOR/WITNESS)

NOTE: AN ACCUSED MEMBER HAS TEN (10) WORKING DAYS IN WHICH TO MAKE AN ELECTION FROM THE OPTIONS ABOVE
AND RETURN FORM TO THE BUREAU OF INTERNAL AFFAIRS OR THE INDEPENDENT POLICE REVIEW AUTHORITY.

SPECIFICATIONS

Accused: Police Officer Markus Walthall

Star: 17409 Unit: 003

Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and or goals or brings discredit upon the Department.

Basis: It has been determined that between 12 Nov 2014 at 1130hrs and 15 Nov 2014 at [REDACTED] St Chicago, IL 60655 the accused failed to properly secure his firearm, to wit; a Ruger, Blue Steel, .380 caliber, Serial # [REDACTED] resulting in the loss/theft of his firearm.

Rule 6: Disobedience of an order or directive, whether written or oral.

Basis: It has been determined that between 12 Nov 2014 at 1130hrs and 15 Nov 2014 at [REDACTED] St Chicago, IL 60655 the accused failed to properly secure his firearm, to wit; a Ruger, Blue Steel, .380 caliber, Serial # [REDACTED] resulting in the loss/theft of his firearm.

OFFICE OF THE SUPERINTENDENT
Management and Labor Affairs Section

23 April 2015

TO: Juan Rivera
Chief
Bureau of Internal Affairs

Attn: Sergeant Phyllis Muzupappa
Commanding Officer – Records Section

FROM: Donald J. O'Neill
Acting Director
Management and Labor Affairs Section

SUBJECT: REQUEST FOR CR FILES

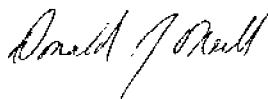
REFERENCE: CR 1072568
Markus Walthall 17409 Employee No. [REDACTED]
Grievance No. [REDACTED]
10 Day Suspension

MLAS requests **one (1) complete copy** of the above referenced CR file to prepare for the processing of a grievance filed by the above named member. MLAS further requests delivery of the CR file within ten (10) working days of your receipt of this letter.

The CR file should include the following:

Cover Sheet	Disciplinary History	Non-Concurrences (if any)
Complaint Against Member	Complimentary History	Police Board Decision (if any)
Affidavit (when required)	Command Channel Review	Suspension Order (if any)
Summary Rpt / Rpt Digest	Complaint Review Panel (if any)	
Attachments	Letter to Complainant	

Should you have any questions regarding this matter, please contact Sergeant Richard Brown on Pax 0671 or CityNet 5-5807.



Donald J. O'Neill
Acting Director
Management and Labor Affairs Section

Date Rec'd form BIA:
Date Sent to Union:
By:

DJO/tb

OFFICE OF THE SUPERINTENDENT
Management and Labor Affairs Section

09 July 2015

TO: Garry F. McCarthy
Superintendent of Police

Juan J. Rivera
Chief
Bureau of Internal Affairs

Attention: Sergeant Daniel O'Connor ✓
Commanding Officer – Department Advocate Section

Wayne M. Gulliford
Chief
Bureau of Patrol

Attention: James E. Jones
Commander
003rd District

FROM: Donald J. O'Neill
Acting Director
Management and Labor Affairs Section

SUBJECT: BINDING SUMMARY OPINION
Re: Police Officer Markus Walthall 17409 Employee No. [REDACTED]
Unit 003, Grievance No. [REDACTED] CR 1072568

DECISION: Grievant Police Officer Markus Walthall's ten (10) day suspension, which gave rise to the listed grievance, shall remain a **ten (10) day suspension, no options.**

Pursuant to the above captioned arbitration decision, the following actions must be taken:

The District Commander: Will ensure the grievance number is considered closed after implementation of the Binding Summary Opinion.

The Commanding Officer of the BIA Department Advocate Section: Will ensure that the grievant is suspended in accordance with the Binding Summary Opinion and **copies of any relevant documents (i.e. suspension notification), which indicate compliance, are included with this reply.**

If directed to take any action, please reply to the Management and Labor Affairs Section upon compliance with this directive and attach any relevant documentation which indicates said compliance. If there are any questions regarding this directive, please contact Sergeant Shawn C. Kennedy, Management and Labor Affairs Section at Pax 0671 or 0672 or CityNet 5-5807.


Donald J. O'Neill

Acting Director
Management and Labor Affairs Section

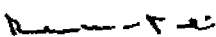
OFFICE OF THE SUPERINTENDENT
Management and Labor Affairs Section

09 July 2015

SUBJECT: BINDING SUMMARY OPINION

Re: Police Officer Markus Walthall 17409 Employee No [REDACTED]
Unit 003, Grievance No [REDACTED] CR 1072568

Approved/Reviewed:


Ralph M. Price
General Counsel
Office of the Superintendent

Compliance:

Signature: J. Jones Title: P.O.
Date: 17 JUL 15 Unit: 121
Documentation: N/A

DJO/sck

PLEASE COMPLETE AND
RETURN TO MLAS (UNIT 129)